

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:12-00218

MITCHELL RAY WORKMAN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On March 20, 2017, the United States of America appeared by Erik S. Goes, Assistant United States Attorney, and the defendant, Mitchell Ray Workman, appeared in person and by his counsel, Deirdre H. Purdy, for a hearing on the petition on supervised release submitted by United States Probation Officer Justin L. Gibson. The defendant commenced a 30-month term of supervised release in this action on September 30, 2016, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on June 10, 2016.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the special condition that he participate in the nine to twelve month addiction recovery program at the Recovery Point Four Seasons drug treatment program inasmuch as he began the program on September 30, 2016, and left the program on or about November 19, 2016; (2) the defendant failed to notify the probation officer of his change in residence when he left the Recovery Point Four Seasons program, rendering his whereabouts unknown to the probation officer at the time of the filing of the petition on January 3, 2017; and (3) the defendant used and possessed methamphetamine and buprenorphine (without a prescription) as evidenced by his signature on a voluntary admission form signed by him on January 10, 2017, acknowledging his use on January 8, 2017; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate

the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

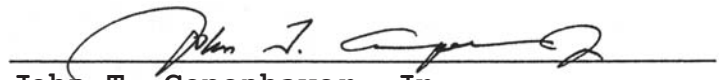
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOURTEEN (14) MONTHS, to be followed by a term of twenty-two (22) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B), the standard conditions as set forth in Local Rule 32.3 and the special condition that he spend six (6) months at Dismas Charities where he shall follow the rules and regulations of the facility, and participate in mental health and substance abuse counseling and treatment at Pyramid Counseling as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court strongly recommends that the defendant be designated to a federal medical center where he can be evaluated for mental health treatment or, alternatively, FCI Elkton. The court further recommends that the defendant be designated to an institution where drug treatment and vocational/educational programs can be made available to him.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: March 28, 2017


John T. Copenhaver, Jr.
United States District Judge